## ATENT COOPERATION TREAT REC'D PCT/PTC 30 JUN 2005

## **PCT**

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

REC'D 13 MAY 2005

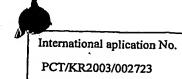
WIPO

(PCT Artcle 36 and Rule 70)

Applicant's or agent's file reference PCT03-029	FOR FURTHER ACTION  SeeNotification of Transmittal of International Preliminary				
			ort (Form PCT/IPEA/416	)	
International application No. PCT/KR2003/002723	International filing date(day/mon		iority date (day/month/ye	•	
	12 DECEMBER 2003 (1	<b>2.12.2003</b> ) 3	DECEMBER 2002 (30	).12.2002)	
International Patent Classification (IPC)  IPC7 H04B 1/69	or national classification and IPC				
Applicant			<del> </del>		
SK TELECOM CO., LTD. et	al				
This international preliminary ex	amination report has been prepar	ed by this Internation	onal Preliminary Examin	ning Authority	
and is dansinitied to the applicant	according to Article 36.				
2. This REPORT consists of a total of	ofsheets, includ	ng this cover sheet.			
70.16 and Section 607 of the	nied by ANNEXES, i.e., sheets of this report and/or sheets contained the contains and a distributions and the contains and th	ining rectifications	aims and/or drawings wi made before this Autho	hich have been ority (see Rule	
These annexes consist of a total of	ofsheets.			1	
This report contains indications relating to the following items:  I Basis of the report II Priority III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV Lack of unity of invention  V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI Certain documents cited  VII Certain defects in the international application  VIII Certain observations on the international application					
Date of submission of the demand	Date of	completion of this r	eport		
28 JULY 2004 (28.		25 APRIL 2005 (2	25.04.2005)		
Name and mailing address of the IPEA/KR  Korean Intellectual Property Office 920 Dunsan-dong, Seo-gu, Daejeon 302-701,		ized officer		(OIBIG)	
Republic of Korea	J.	EONG, Jae Woo		MILLION	
Facsimile No. 82-42-472-7140		one No. 82-42-481-	5718	TO SELECTION OF THE PARTY OF TH	



## INTERNATIONAL PRELIMINARY EXAMINATION REPORT



I. Ba	sis of the report
l. Wi	h regard to the elements of the international application:*
$\boxtimes$	the international application as originally filed
F	the description:
<u> </u>	pages
	filed with the down t
	pages, filed with the letter of
	the claims:
	pages, as originally filed
	pages , as amended (together with any statment) under Article 19
	pages, filed with the letter of,
	the drawings:
	pages
	F-6-0
	pages, filed with the letter of
	the sequence listing part of the description:
	pages, as originally filed
٠	pages, filed with the demand
Wi	h regard to the language, all the elements marked above were available or furnished to this Authority in the language in which
	the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).  the language of publication of the international application (under Rule 48.3(b)).  the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).
. Wi	th regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international liminary examination was carried out on the basis of the sequence listing: contained inthe international application in written form.  filed together with the international application in computer readable form.
H	rurnished subsequently to this Authority in written form.
	furnished subsequently to this Authority in computer readable form
	The statement that the subsequently furnished written sequence listing does not go beyond the disc losure in the international applicationas as filed has been furinshed.
لبا	The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.
	The amendments have resulted in the cancellation of:
	the description, pages the claims, Nos.
	the claims, Nos.
	This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box(Rule 70.2(c)).**
Repla in this and 7(	rement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to opinion as "originally filed." and are not annexed to this report since they do not contain amendments (Rules 70.16).
iny re	placement sheet containing such amendments must be referred to under item I and annexed to this report

## INTERNATIONAL PRELIMINARY EXAMINATION

International aplication No.
PCT/KR2003/002723

<ul> <li>Neasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;</li> <li>citations and explanations supporting such statement</li> </ul>					
1. Statement					
Novelty (N)	Claims	1 - 25	J.m.		
	Claims		YES NO		
Inventive step (IS) Industrial applicability (IA)	Claims	1 - 25	YES		
	Claims		NO		
	Claims	1 - 25	YES		
	Claims		NO NO		

2. Citations and explanations (Rule 70.7)

D: EP 1246492

The claimed inventions disclose a system and method for preventing a call drop from occurring between a CDMA 2000 1xEV-D0(Evolution-Data Optimized) system and a hybrid access terminal in traffic with the CDMA 2000 1xEV-D0 system, by limiting a predetermined search time for an 1X system, which includes a hybrid access terminal in traffic with the 1xEV-D0 system being periodically switched into the 1X mode and being returned to the 1xEV-D0 mode if the predetermined search time lapses.

D relates to a communication system which combines a first wireless communication system performing a packet communication at a relatively high transmission rate and a second wireless communication system for lower rate transmission.

Both of the claimed inventions and D relate to a combined wireless communication system which includes the higher data rate transmission system(CDMA 2000 1xEV-DO) and the lower data rate wireless. transmission system(CDMA 2000 1X). However, D does not disclose the hybrid terminal's automatical returning to the 1xEV-DO mode when the predetermined search time is over. Moreover, this automatical returning to the 1xEV-DO mode is not obvious to a person skilled in the art or is not suggested in the prior arts. Therefore, claims 1-25 of the inventions fulfill the requirement of novelty criteria of PCT Article 33(2) and the requirement of inventive step under PCT Article 33(3).

BEST AVAILABLE COPY